

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDER NASCIMENTO DA
ENCARNACAO,

Plaintiff.

v.

ANNA BERYOZKINA,

Defendant.

Case No. [16-cv-02522-MEJ](#)

**ORDER FOR CLERK OF COURT TO
ISSUE SUMMONS AND FOR U.S.
MARSHAL TO COMPLETE SERVICE**

On May 10, 2016, Plaintiff Eder Nascimento Da Encarnacao ("Plaintiff") filed a Complaint and an Application to Proceed In Forma Pauperis. Dkt. Nos. 1, 2. On June 3, 2016, the Court granted Plaintiff's in forma pauperis application, but dismissed his Complaint with leave to amend. Dkt. No. 6. The Court noted that while Plaintiff made vague references to an immigration contract with Defendant Ana Beryozkina and her alleged improper withholding of documents, the Complaint failed to provide enough facts for the Court to determine whether he could state a cognizable claim for relief. *Id.* at 3. Thus, the Court dismissed the Complaint with leave to amend. *Id.* at 4. On June 14, 2016, Plaintiff filed a First Amended Complaint for enforcement of an I-864 Affidavit of Support. Dkt. No. 8. Having reviewed this Amended Complaint, it appears Plaintiff now states a cognizable claim, and accordingly, the Court **DIRECTS** the Clerk of Court to issue the summons. Furthermore, the U.S. Marshal for the Northern District of California shall serve, without prepayment of fees, a copy of the complaint, any amendments or attachments, Plaintiff's affidavit and this order upon Defendant(s).

IT IS SO ORDERED.

Dated: June 27, 2016



MARIA-ELENA JAMES
United States Magistrate Judge